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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/562,348

12/27/2005

Jurgen Luers

2003P07111WOUS

6250

22116

7590

02/26/2010

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EXAMINER

HUANG, WEN WU

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

02/26/2010

PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/562,348
Filing Date: December 27, 2005
Appellant(s): LUERS, JURGEN

Lynn J. Alstadt
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 12/07/09 appealing from the Office action mailed 06/03/09.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

2004/0204076	KOTZIN, Michael	10-2004
7,176,849	MOONEY et al.	02-2004
7,343,156	ALBERTI, Mathaeus	03-2008
6,968,178	PRADHAN et al.	11-2005

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7,177,287	HERRING et al	02-2007
6,741,864	WILCOCK et al.	05-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 13-18, 24-26, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin (US Pub No. 2004/0204076 A1) in view of Mooney et al. (US. 7,176,849; hereinafter "Mooney")

Regarding **claim 13**, Kotzin teaches a telecommunications terminal (see Kotzin, fig. 1, subscriber device 103) having a user interaction function adapted to establish telecommunications connections (see Kotzin, fig. 2, user interface 211, para. [0013]), comprising:

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and a plurality of external gateways (see Kotzin, para. [0016], lines 4-6, establishing connections with external devices), each external gateway providing access to a communications network (see Kotzin, para. [0029], lines 1-13);

a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver (see Kotzin, fig. 2, display 217, fig. 4, step 417 and para. [0029], lines 7-13, a plurality of determinations of device availability 413-415 are monitored/initiated, then displayed at step 417);

a selection unit (see Kotzin, fig. 2, keypad 215) adapted to select one of the plurality of external gateways displayed by the display device in order to communicate with the respective communications network via the selected gateway (see Kotzin, fig. 4 step 419, para. [0029], lines 11-16).

Kotzin is silent to teaching that wherein absence of displayed information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within range of the telecommunications terminal. However, the claimed limitation is well known in the art as evidenced by Mooney.

In the same field of endeavor, Mooney teaches a telecommunications terminal wherein absence of displayed information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within range of the telecommunications terminal (see Mooney, col. 6, lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin with the teaching of Mooney in order to indicate whether a mobile station is within a communication range or not (see Mooney, col. 1, lines 20-27).

Regarding **claim 14**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is

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adapted according to a Bluetooth standard having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 15**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 13, wherein the local-area transceiver is adapted according to a wireless LAN having loadware adapted for connecting to the gateway (see Kotzin, para. [0015], lines 5-6 and 15-19).

Regarding **claim 16**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 13, further comprising a user-data memory (see Kotzin, memory 227) that stores connection-data records, each record having of a predetermined connection that can be established between one of the external gateway and the telecommunications terminal (see Kotzin, fig. 2, connection est. 237; para. [0016], lines 4-6), wherein information about external gateways within range of the local-area transceiver defined by at least one of the stored data records is displayed for selection (see Kotzin, fig. 4, step 417, displaying availability of detected external devices from step 403, para. [0028-0029]).

Regarding **claim 17**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 16, further comprising an authentication-data input (see Kotzin, fig. 2, keypad 215) for inputting an authentication data of a user (see Kotzin, para. [0021], lines 1-3; “device profile”), the data

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authentication-data interfacing with the local-area transceiver for transmitting the authentication data to the gateway (see Kotzin, para. [0021], lines 9-20),

wherein the external gateway determines from the authentication data if the terminal is authorized to establish the connection via the gateway (see Kotzin, para. [0021-0022]), and

wherein information about important ones of the external gateways within range of the local-area transceiver that have authorized the terminal to establish the connection is displayed for selection (see Kotzin, fig. 4, step 417, displaying availability of detected external devices from step 403, para. [0028-0029]).

Regarding **claim 18**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 17, further comprising a processor and memory (see Kotzin, fig. 2, processor 208 and memory 227) to provide PDA functionality that is independent of the telecommunications functions (see Kotzin, para. [0026], lines 12-15, platform independent language).

Regarding **claim 24**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 17, wherein the authentication data includes information of a telecommunication terminal authorized to establish the connection to the wireless network via the terminal (see Kotzin, para. [0021]).

Regarding **claim 25**, the combination of Kotzin and Mooney also teaches the telecommunications terminal 13, wherein the display of the plurality of external gateways within range of the local-area transceiver (see Kotzin, fig. 4, display step 417) includes a cost of using the respective gateway to establish the telecommunication connection (see Kotzin, para. [0029], lines 3-7).

Regarding **claim 26**, the combination of Kotzin and Mooney teaches the telecommunications terminal according to claim 13 comprises an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207) for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10).

Regarding **claim 30**, the combination of Kotzin and Mooney also teaches the telecommunications terminal according to claim 13, wherein the user interface comprises a display device (see Herring, fig. 2, base station 102c, col. 4, lines 40-43).

Regarding **claim 28**, Kotzin teaches a telecommunications terminal (see Kotzin, fig. 1, subscriber device 103) having a user interaction function adapted to establish a plurality of telecommunications connections (see Kotzin, fig. 2, user interface 211, para. [0013], WAN and LAN), comprising:

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and a plurality of external

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gateways (see Kotzin, para. [0016], lines 4-6, establishing connections with external devices), each external gateway providing access to a communications network (see Kotzin, para. [0029], lines 1-13);

a display device adapted for displaying current availability information about a plurality of external gateways within range of the local-area transceiver (see Kotzin, fig. 2, display 217, fig. 4, step 417 and para. [0029], lines 7-13);

a selection unit (see Kotzin, fig. 2, keypad 215) adapted to select one of the plurality of external gateways displayed by the display device in order to establish the telecommunication connection to the respective communications network via the selected gateway (see Kotzin, fig. 4 step 419, para. [0029], lines 11-16); and

an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207) for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10); and

a user-data memory (see Kotzin, memory 227) that stores connection-data records of plurality of predetermined connections which can be established with the external gateways and an internal gateway (see Kotzin, fig. 2, connection est. 237; para. [0016], lines 4-6).

Kotzin is silent to teaching that wherein absence of displayed current availability information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within a communication range of the telecommunications terminal. However, the claimed limitation is well known in the art as evidenced by Mooney.

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In the same field of endeavor, Mooney teaches a telecommunications terminal wherein absence of displayed information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within range of the telecommunications terminal (see Mooney, col. 6, lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin with the teaching of Mooney in order to indicate whether a mobile station is within a communication range or not (see Mooney, col. 1, lines 20-27).

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin and Mooney as applied to claim 13 above, and further in view of Alberti (US. 7,343,156 B2).

Regarding **claim 29**, the combination of Kotzin and Mooney teaches the telecommunications terminal according claim 13.

The combination of Kotzin and Mooney is silent to teaching that wherein the user interface comprises an input device. However, the claimed limitation is well known in the art as evidenced by Alberti.

In the same field of endeavor, Alberti teach at least one of the external gateways excludes an input device (see Alberti, col. 2, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin and Mooney with the

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teaching of Alberti in order to provide security to the wireless network (see Alberti, col. 2, lines 28-30).

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin and Mooney as applied to claim 13 above, and further in view of Pradhan et al. (US. 6,968,178 B2; hereinafter "Pradhan")

Regarding **claims 31**, the combination of Kotzin and Mooney teaches the telecommunications terminal according to claim 13.

The combination of Kotzin and Mooney is silent to teaching that wherein the local-area transceiver directly exchanging voice traffic with a local area transceiver of a similar telecommunications terminal without the intermediate connection of an external network. However, the claimed limitation is well known in the art as evidenced by Pradhan.

In the same field of endeavor, Pradhan teaches a telecommunications assembly (see Pradhan, fig. 1) wherein the local-area transceiver (see Pradhan, fig. 1, MS 10 and 12; 14a and 14b; col. 9, lines 20-38) directly exchanging voice (see Pradhan, col. 4, lines 6-7) traffic with a local are transceiver of a similar telecommunications terminal without the intermediate connection of an external network (see Pradhan, fig. 2, Bluetooth 34, col. 10, lines 8-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching Kotzin and Mooney with the

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teaching of Pradhan in order to provide free voice communication between terminals via short range connections (see Pradhan, col. 4, lines 10-11).

Claims 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin in view of Pradhan et al. (US. 6,968,178 B2; hereinafter "Pradhan") and Mooney.

Regarding **claim 19**, Kotzin teaches a telecommunications assembly (see Kotzin, fig. 1, subscriber device 103 and notebook 113), comprising:

a telecommunications terminal (subscriber device 103) having a user interaction function adapted to establish a plurality of telecommunications connections (see Kotzin, fig. 2, user interface 211, para. [0013], WAN 203 and LAN 209), comprising:

a signaling mechanism adapted for signaling incoming calls to the selected connection (see Kotzin, fig. 2, speaker 219);

an input device adapted for inputting outgoing messages and a telecommunications connections data (see Kotzin, fig. 2, keypad 215, microphone 221);

a display device adapted for displaying incoming messages (see Kotzin, fig. 2, display 217) and information on current availability of each of the plurality of telecommunications connections (see Kotzin, fig. 2, display 217, fig. 4, step 417 and para. [0029], lines 7-13, a plurality of determinations of device availability 413-415 are monitored/initiated, then displayed at a single step 417);

a local-area transceiver (see Kotzin, fig. 2, LAN transceiver 209) adapted for wireless traffic between the telecommunications terminal and an external gateway (see

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Kotzin, fig. 1, notebook 113) for establishing the telecommunications connection (see Kotzin, fig. 1, wireless LAN connection 111; para. [0012], lines 22-23, PSTN 125);

an internal gateway (see Kotzin, fig. 2, WAN transceiver 203 and controller 207), for connecting to a mobile radio communications network (see Kotzin, fig. 1, WAN wireless connection 109; para. [0012], lines 7-10) and for interfacing to the selection mechanism (see Kotzin, fig. 2, keypad), the signaling mechanism (speaker), the input device (microphone), and the output device (display), wherein the telecommunications terminal is configured as a mobile-radio-communications terminal (see Kotzin, para. [0012], lines 3-5), and

an authentication-data input mechanism allowing an authentication-data input (see Kotzin, fig. 2, keypad 215), the authentication-data input mechanism interfacing with the local-area transceiver for transmitting the authentication data (see Kotzin, para. [0021], lines 1-3; "device profile"; para. [0021], lines 9-20); and

a plurality of external gateways (see Kotzin, para. [0016], lines 4-6, external devices), each (see Kotzin, fig. 1, notebook 113), comprising:

a local-area transceiver (see Kotzin, fig. 3, LAN transceiver 303; para. [0017], lines 14-18) adapted to receive transmission from telecommunications terminal including the authentication-data input (see Kotzin, fig. 1, LAN wireless connection 111); and

an access control mechanism (see Kotzin, para. [0022], lines 1-2; security firewall) adapted to block traffic to an unauthorized telecommunications terminal based on the authentication-data input and to release traffic to an authorized

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telecommunications terminal based on the authentication-data input (see Kotzin, para. [0021], lines 9-20 and para. [0022], lines 1-16).

Kotzin is silent to teaching that

wherein each local-area transceiver for a plurality of the telecommunication terminal s are configured for directly exchanging voice traffic with each other without the intermediate connection of an external network, and

wherein absence of displayed information on the display device of the telecommunications terminal about a particular external gateway or a particular other telecommunications terminal indicates that said particular external gateway or particular other telecommunications terminal is not within range of the telecommunications terminal. However, the claimed limitation is well known in the art as evidenced by Pradhan and Mooney.

In the same field of endeavor, Pradhan teaches a telecommunications assembly (see Pradhan, fig. 1) wherein each local-area transceiver for a plurality of the telecommunication terminals (see Pradhan, fig. 1, MS 10 and 12; 14a and 14b; col. 9, lines 20-38) are configured for directly exchanging voice (see Pradhan, col. 4, lines 6-7) traffic with each other without the intermediate connection of an external network (see Pradhan, fig. 2, Bluetooth 34, col. 10, lines 8-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching Kotzin with the teaching of Pradhan in order to provide free voice communication between terminals via short range connections (see Pradhan, col. 4, lines 10-11).

The combination of Kotzin and Pradhan is silent to teaching that wherein absence of displayed information on the display device of the telecommunications terminal about a particular external gateway or a particular other telecommunications terminal indicates that said particular external gateway or particular other telecommunications terminal is not within range of the telecommunications terminal.

In the same field of endeavor, Mooney teaches a telecommunications terminal wherein absence of displayed information on the display device of the telecommunications terminal about a particular external gateway or a particular other telecommunications terminal indicates that said particular external gateway or particular other telecommunications terminal is not within range of the telecommunications terminal (see Mooney, col. 6, lines 55-61).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin and Pradhan with the teaching of Mooney in order to indicate whether a mobile station is within a communication range or not (see Mooney, col. 1, lines 20-27).

Regarding **claim 21**, the combination of Kotzin, Pradhan and Mooney also teaches the telecommunications assembly according to claim 19, wherein the local-area transceiver includes a threshold discriminator (see Kotzin, fig. 2, antenna of the LAN transceiver 209) for detecting an entry into the radio transmission range of an telecommunications terminal (see Kotzin, fig. 4, step 403 "detecting external device"), the threshold discriminator is operatively connected to a communications-start control

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device (see Kotzin, fig. 2, controller 207) for initiating a communications start procedure with the telecommunications terminal after entering into the radio transmission range (see Kotzin, fig. 4, step 409 to 423; para. [0029]).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin, Pradhan and Mooney as applied to claim 19 above, and further in view of Herring et al. (US. 7,177,287 B1; hereinafter "Herring") and Alberti.

Regarding **claim 20**, the combination of Kotzin and Pradhan also teaches the telecommunications assembly according to claim 19.

The combination of Kotzin, Pradhan and Mooney is silent to teaching that wherein the external gateway excludes a signaling mechanism, an input device and a display device. However, the claimed limitation is well known in the art as evidenced by Herring and Alberti.

In the same field of endeavor, Herring teaches a telecommunications terminal (see Herring, fig. 2, PDA 100, col. 4, lines 21-39) wherein at least one of the external gateways excludes a signaling mechanism and a display device (see Herring, fig. 2, base station 102c, col. 4, lines 40-43).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin, Pradhan and Mooney with the teaching of Herring in order to supporting concurrent voice and data

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communications via cost efficient access points for the wireless LAN (see Herring, col. 2, lines 21-25 and col. 4, lines 43-44).

The combination of Kotzin, Pradhan, Mooney and Herring is silent to teaching that wherein the external gateway excludes an input device. However, the claimed limitation is well known in the art as evidenced by Alberti.

In the same field of endeavor, Alberti teach at least one of the external gateways excludes an input device (see Alberti, col. 2, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin, Pradhan, Mooney and Herring with the teaching of Alberti in order to provide security to the wireless network (see Alberti, col. 2, lines 28-30).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin, Pradhan and Mooney as applied to claim 19 above, and further in view of Wilcock et al. (US. 6,741,864; hereinafter "Wilcock").

Regarding **claim 27**, the combination of Kotzin, Pradhan and Mooney teaches the telecommunications terminal according to claim 19.

The combination of Kotzin, Pradhan and Mooney is silent to teaching that wherein the internal gateway acts as an external gateway to a further telecommunications terminal. However, the claimed limitation is well known in the art as evidenced by Wilcock.

In the field of endeavor, Wilcock teaches a telecommunications terminal (see Wilcock, fig. 11, cell phone 20) wherein the internal gateway (see Wilcock, fig. 11, Radio 22) acts as an external gateway to a further telecommunications terminal (see Wilcock, fig. 11, PLMN 10; camera 90, I/F 96 and 97).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Kotzin, Pradhan and Mooney with the teaching of Wilcock in order to utilize data bearer services of cellular radio network (see Wilcock, col. 2, lines 9-14).

(10) Response to Argument

Kotzin

Applicant argues that Kotzin fails to disclose “a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver”. Applicant asserts that: (1) the cited paragraphs of Kotzin do not explain how information is presented and (2) Kotzin’s discovery processing (detecting external devices) may discover only one device at a given time.

First, the Examiner submits that Applicant’s arguments seemed to the Examiner are based on the assumption that the claimed limitation “a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver” must be interpreted as “a display device simultaneously displaying

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information about a plurality of external gateways which are simultaneously discovered and detected within range of the local-area transceiver”.

The Examiner respectfully disagrees with Applicant’s assumption and/or interpretation of “a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver”. More specifically, the Examiner submits that “the broadest reasonable interpretation consistent with the specification” must be applied by the Examiner to the claim. Furthermore, limitations not recited in the claimed are not interpreted as part of the claimed invention. In response to applicant's argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e. simultaneously displaying and discovering) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Thus, the Examiner would like to submit the Examiner interpretation of “a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver” and corresponding teaching of Kotzin:

- (1) requiring a display device (see Kotzin, fig. 2, display 217)
- (2) adapt for (see MPEP 2111.04 and 2114; “capable of”)
- (3) displaying information (see Kotzin, fig. 4, step 417 “displaying availability to user”)
- (4) about (“of, relating to, or concerned with”)

(5) a plurality of external gateways within range of the local-area transceiver ("more than one external gateways within range"; the Examiner would like to note that the plurality of external gateways, as claimed, do not need to be discovered or within range simultaneously).

With respect to Applicant's argument (1) that Kotzin is silent to teach how the information is presented, the Examiner submits that Kotzin teaches that the information is displayed, therefore, the information is presented visually by the display device. Thus, the Examiner submits that Kotzin teaches how the information is presented.

With respect to Applicant's argument (2) that Kotzin's discovery processing (detecting external devices) may discover only one device at a given time, the Examiner submits that Applicant's arguments seemed to the Examiner are based on that there must be simultaneously displaying of information about the plurality of gateways which must be also simultaneously discovered/detected. First, the Examiner submits that nowhere in the claims suggest any relationship between the discovery process and the displaying process. Furthermore, the Examiner submits nowhere in the specification suggests that "a display device adapted for displaying information about a plurality of external gateways within range of the local-area transceiver" cannot be reasonably interpreted as "a display device adapted for (sequentially) displaying information about a plurality of external gateways with range".

Furthermore, Applicant argues that Box 413 does not return to step 403. However, the Examiner respectfully disagrees. As explained in the Final Action mailed 6/3/09, pages. 17-20, the process as a whole returns to step 403 which means that box 413

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indirectly returns to step 403 via the next step. Thus, Kotzin teaches a plurality of devices within range are discovered and displayed (see Kotzin, para. [0016], [0017] and [0029]; see Final Action, mailed 6/3/09, pages 17-20).

Mooney

Applicant argues that Mooney is silent to the teaching of “wherein absence of displayed information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within range of the telecommunications terminal”. However, the Examiner respectfully disagrees.

First, the Examiner again submits that a proper interpretation is an interpretation given its "broadest reasonable interpretation consistent with the specification". Looking into the specification, the Examiner submits that the only teaching given to support this limitation is at para. [0034], page 9 of 10, filed 12/27/05:

[0034]He sees that both his wife's car and her agent are not displayed, that she has therefore left the house in her car. He presses the symbol for his older son's agent, who then answers and informs him that his assumption is correct and asks him down for breakfast.

Thus, the operative term “indicate” in the claim is properly interpreted by the Examiner as “triggers an assumption”.

Second, the Examiner would like to submit that the claimed limitation “wherein absence of displayed information about a particular one of the external gateways on the display device indicates that said particular one of the external gateways is not within range of the telecommunications terminal” is merely the contrapositive equivalent term

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of "if a particular one of external gateway is within range, then display information about the particular one of external gateway".

More specifically, the claimed limitation "if NOT D (NOT displayed), then NOT R (NOT within range)" is the contrapositive equivalent term of "if R (within range), then D (displayed)". Kotzin teaches (see fig. 4) "if R (within range, step 403) and C (compatible/available as an interface, step 409), then D (displayed; step 417). The contrapositive term of Kotzin's teaching is "if NOT D, then NOT R or NOT C". In other word, Kotzin teaches that if a particular external gateway is not displayed, then the particular gateway is either not within range (fail at step 403) or not compatible/available as an interface (fail at step 409).

Third, the Examiner would like to turn to the teaching of Mooney. Mooney teaches (abstract, col. 5, lines 16-66 and col. 6, lines 55-61):

An apparatus and technique for allowing wireless electronic badges to temporarily establish a wireless network (e.g., a piconet network) with a network security station mounted in a facility of an employer, a gym, a membership club, etc. The wireless electronic badges automatically exchange user code with the network security station, and receives relevant badge information for display and use by that particular secured facility. In a preferred embodiment, BLUETOOTH technology is used in the wireless piconet front ends of the electronic wireless badge and the network security station. The disclosed electronic wireless badge includes an LCD display, a display controller, an information exchange module, and a wireless front end (e.g., a wireless piconet network such as a BLUETOOTH network). The electronic wireless badge includes a unique user code which is passed to the network security station. The network security station includes a complementary wireless front end, together with a database of user codes and badge display information for the properly authorized user codes. As an individual enters an area requiring identification, their electronic wireless badge exchanges a security code with the network security station, and upon proper authorization receives from the network security station appropriate badge display information for display. Exemplary display information may include, e.g., a photo of the authorized user corresponding to the authorization code in the electronic wireless badge, a name of the authorized user, an identification number, a company for which the displayed badge information relates, a membership type, a security level, etc.

In step 404, a wireless piconet network is established between the electronic wireless badge 100 and a network security station 150. When the network security station 150 senses the presence within RF range of a particular electronic wireless badge 100, the network security station 150 announces itself to the electronic wireless badge 100. In response, the electronic wireless badge 100 transfers security code

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information to the network security station 150. The electronic wireless badge 100 may transfer security code information relating to any and all possible locations that the user might be entering.

The badge display information may continue to be displayed until the user leaves the premises and thus loses contact with the piconet. Alternatively, the badge display information may continue to be displayed until the electronic wireless badge 100 is turned off, or until the electronic wireless badge 100 establishes contact with a different piconet. As another alternative, the badge display information can be cleared (i.e., blanked) until manually or automatically queried by a security guard's verification device.

Moreover, since the electronic wireless badge 100 will be out of range of the piconet when a wearer leaves the company facilities, displayed badge information will be lost and not be seen by the general public or anyone outside the facilities, leaving outsiders without any knowledge of the particular information used for display by a particular facility, company, etc.

The Examiner submits that the network security station reads on the external gateway because the network security station provides access to the piconet communications network and the displayed company information is information about the physical location/possession of the particular external gateway because the security station is mounted in the facility of the company. Thus, Mooney teaches "displaying information about a particular one of the external gateway on the display device". (see Mooney, abstract)

Thus, the Examiner submits that Mooney teaches that the absence of displayed company information about the company's security station (external gateway) on the display of the wireless badge indicates (triggers an assumption) that the security station is not within range of the wireless badge (the wearer has left the premises).

Last, the Examiner would like to summarize Applicant's arguments and Examiner's responses. Applicant argues that Kotzin's display is incapable of displaying information about a plurality of gateways because Kotzin's display is only capable of

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displaying information about a single gateway. However, the Examiner respectfully disagrees.

While Kotzin uses a singular term "device" to describe step 409, Kotzin clearly teaches that a plurality of external devices/gateways are detected, examined and displayed at step 417 (display availability circumstances and conditions to user). Therefore, the Examiner submits that Kotzin teaches displaying information (at step 417, display availability circumstances and conditions) about (associated with, concerning to) a plurality of external gateways within range of the local-area transceiver (a plurality of external devices described in para. [0016 and 0017], detected in step 403 and examined in step 409). (see above and Final Rejection 6/3/09, Response to Argument).

Furthermore, Applicant argues that Mooney's displayed information is not information about the gateway because it is about the wearer and the Mooney's security station is not a gateway because it does not provide access to a communications networks. However, the Examiner respectfully disagrees.

The Examiner submits that Mooney's displayed information includes the company information that physically facilitates the security station. Thus, the displayed company information is information about the physical possession of the security station. Moreover, Mooney's network security station provides wireless badges access to the piconet wireless network (see fig. 4, step 404). Thus, Mooney's security station reads on the claimed gateway.

Applicant also argues that there is no motivation to combine Kotzin and Mooney. However, the Examiner respectfully disagrees. More specifically, the Examiner submits that both Kotzin and Mooney are in the field of short range wireless communication. Furthermore, Mooney explicitly teaches that it is advantageous to establish the direct relationship between the wireless device's physical presence within range and the displaying of information (see Mooney, col. 1, lines 20-27 and 38-42).

Thus, the Examiner submits that while Kotzin teaches the absence of the displayed information indicates (triggers an assumption) not in the range or not compatible, one of ordinary skilled artisan would be motivated to modify and establish a direct relationship between the presence with range and the displayed information in order to improve network security (see Mooney, col. 1, lines 38-42).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Wen W Huang/

Examiner, Art Unit 2618

Conferees:

Matthew Anderson

Art Unit: 2618

/Matthew D. Anderson/

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